

REMARKS

Claims 1-10 are pending in the application.

Reconsideration and view of the claims on the merits are respectfully requested.

Drawings

The Examiner states that the proposed drawing correction and/or the proposed substitute sheets of drawings, filed on April 15, 2003, have been disapproved because the Examiner maintains that they introduce new matter into the drawings.

Applicants respond as follows.

Applicants submitted corrected drawings and traversed the objection in a previous filing on September 17, 2003. Applicants submit that the Examiner may be mistaken. Applicants point out to the Examiner that in the Advisory Action mailed on October 14, 2003, the proposed drawing correction filed on September 17, 2003, has already been approved. The Examiner has failed to adequately comment on the alleged “new matter”.

Accordingly, Applicants respectfully request approval of the proposed substitute sheets of drawings, filed on September 15, 2003.

Claim Rejections - 35 U.S.C. § 103

The Examiner states that in response to the previous Amendment and the corresponding arguments, the recitation, “A polarized-light emitting organic electro luminescent device”, is cited in the prior art by Shirasaki which reads on this new recitation due to the inclusion of

polarizers (134 and 135) in the Shirasaki device. The Examiner asserts that due to the placement of these polarizers, Shirasaki's device will be a polarized-light emitting organic electroluminescent device. Furthermore, the Examiner points out that the amendments were made to the preamble which was not given patentable weight by the Examiner. Therefore, the Examiner maintains the previous rejections:

A. Claims 1-2 and 6-10 are rejected under 35 U.S.C. § 103(a) as assertedly being unpatentable over Shirasaki et al (U.S. Patent No. 6,025,894) in view of Allen et al (U.S. Patent No. 6,111,696) for the reasons given in the Office Action.

The Examiner cites Shirasaki as disclosing separate polarizers and a separate light scattering film.

The Examiner cites disclosure in Allen and asserts that it would have obvious to one having ordinary skill in the art to further modify Shirasaki's LCD device with the range for the refractive indices in axis direction and perpendicular direction being less than 0.05 and greater than 0.05 as disclosed by Allen overlapping the range of smaller than 0.03 and from 0.03 to 0.5 to achieve desirable degrees of diffuse and specular reflection and transmission, wherein the optical material is stable with respect to stress, strain, temperature differences, and electric and magnetic fields and the optical material has low iridescence.

B. Claims 3-5 are rejected under 35 U.S.C. § 103(a) as assertedly being unpatentable over Shirasaki and Allen as applied to Claim 1 above, and further in view of Pokorny et al (U.S. Patent No. 6,461,775) for the reasons given in the Office Action.

The Examiner cites Allen as disclosing that the film is of thermoplastic resin having the differences in the indices of refraction, but recognizes that Allen does not disclose the glass transition temperatures and phase separation of the film. However, the Examiner cites Pokorny as disclosing thermoplastic material having various glass transition temperatures, preferably 50 degrees to 150 degrees or greater and the phase relationship.

Applicants respond as follows to the rejections under 35 U.S.C. § 103(a).

The Examiner asserts that Shirasaki's device will be a polarized-light emitting organic electroluminescent device when considering the placement of the polarizers (See Fig. 35, elements 134 and 135). However, for further clarification, Applicants amend Claim 1 to clarify the structure and function of the present invention over the structure and function of Shirasaki by reciting "the polarized light being emitted from the device through the polarized-light scattering film." Support can be found, for example, in the bridging paragraph at pages 3-4, particularly at lines 21-25 on page 3.

This amendment to Claim 1 is not obvious in view of the Examiner's references, and Applicants submit that the cited combination of references fails to raise a case of *prima facie* obviousness vis-à-vis Applicants present claims. That is, neither Shirasaki nor the secondary references in combination therewith disclose, teach or suggest "the polarized light being emitted from the device through the polarized-light scattering film."

Although Shirasaki discloses a light produced by the organic electroluminescent element being emitted from the device through the light scattering film (120), Shirasaki fails to disclose or suggest polarized light being emitted from the device through a polarized-light scattering film.

That is, the present invention provides polarized light through the polarized-light scattering film whereas Shirasaki does not provide polarized light through the light scattering film (120). In Fig. 35 of Shirasaki, two polarization plates, 134 and 135, are provided to make and emit polarized light.

The Examiner points to Allen for disclosure of a polarizing light scatter plate. However, Allen's disclosure is still limited in its application/combination with Shirasaki because Allen discloses an optical film but not an organic EL device. Therefore, Shirasaki and Allen do not disclose or suggest the element of the present claims that, in the organic EL device of the present invention, there is a polarized-light scattering film that emits polarized light.

Accordingly, Applicants respectfully request reconsideration and withdrawal of the rejections under 35 U.S.C. § 103(a).

Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

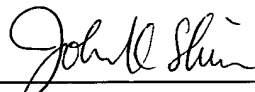
AMENDMENT UNDER 37 C.F.R. § 1.116

U.S. Application No. 09/759,339

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Respectfully submitted,



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